

BERGEN COUNTY TECHNICAL SCHOOLS/SPECIAL SERVICES

District Administrative Office

E 64 Midland Avenue, Paramus, New Jersey 07652-2915 • Tel. (201) 265-6300 • Fax (201) 265-7099 • TDD (201) 265-1147

June 8, 2000

Federal Communications Commission
Office of the Secretary
445 12th Street, SW, Room TW-A325
Washington, DC 20554

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FCC MAIL ROOM

Re: Request for Review by Bergen County Special Services School District of
Decision of Universal Service Administrator, FCC Docket Nos. 97-21 and 96-45

Billed Entity Number: 200442
Application Number: 154286
Funding Request Nos.: 298958, 298959 & 298960

Bergen County Special Services is in receipt of the SLC Administrator's decision to deny funding on the above captioned matter (see attached letter of 5/10/00). This school district had originally appealed this decision, which was cited as our "violation of the 28-day waiting period, in December 1999. We are seeking your examination of the facts. On 9/17/99, the SLC formally advised us that our Form 471 was officially received on 4/6/00 and successfully entered into their data system. The facts speak for themselves. We had a short window for response: 4/1/00 – 4/6/99. Due to extensive business travel, our Chief School Administrator signed our application on 3/31/99. A committee of administrators decided to submit the application on that date to ensure receipt by the SLC by the 4/6 deadline.

As a school district which serves handicapped children throughout the county, we seek your intervention and reversal of this decision.

Thank you.

Sincerely,

John R. Arendas

John R. Arendas
Supervisor of Technology

JRA/jh

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USAC
UNIVERSAL SERVICE
ADMINISTRATIVE CO.
Schools and Libraries
Division

Box 125 - Correspondence Unit
100 South Jefferson Road
Whippany, NJ 07981

ROCKLEIGH
CAMPUS

BERGEN COUNTY SPECIAL SERVICES*
John Arendas
East 64 Midland Ave.
Paramus, NJ 07652

DATE: 03/08/1999

Important Notice from
The Schools and Libraries Division/USAC
about your Form 470 Application

We are pleased to inform you that the Schools and Libraries Division/USAC (SLD) has received your properly completed FCC Form 470, Description of Services Requested. This letter provides important information about the processing of your Form 470 application. Please read this letter carefully and retain it for your records and future reference.

SLD has assigned the following Universal Service Control Number (USCN) to your FCC Form 470: 385360000219472. Please record this number in a safe place. The USCN is used to track your Form 470, and it must be provided when completing a FCC Form 471, Services Ordered and Certification Form, that is based upon your Form 470 application. Any Form 471 applicant that relies on your Form 470 application must know the USCN for this application, and must be expressly listed in the Form 470 application in Item (19) of that Form. You may wish to share the USCN for your Form 470 application with those schools and/or libraries that are listed in Item (19) of your application to assist in their preparation of Form 471 applications.

The next step in the application process is the completion of a FCC Form 471 application, Services Ordered and Certification Form. FCC rules require that request for new services be posted on the SLD Web Site for a period of 28 days before you enter into and sign any contracts with service providers. Your application was posted by the SLD on 03/04/1999. Accordingly, a contract or contracts may be signed for requested services on or after 04/01/1999. The SLD will be prepared on that date to receive your Form(s) 471. A properly completed Form 471, with a signed Form 471 certification, must be received by the SLD no later than 04/06/1999 in order to meet the SLD 126-day window. If the earliest allowable submission date is after the window date, your application will not be considered together with those received within the window.

A properly completed certification for your Form 470 has been received and entered.

It is important to remember that not all requested services may necessarily be approved for discounts. Your application is subject to review by the SLD for a determination of funding eligibility before funds are committed. (This review will consider all program rules including eligibility of discount recipients and the eligibility of services for which discounts are requested.) In addition, availability of funds will be a factor in funding decisions. Therefore, you should consider the possibility of a denial of funding or a level of funding below your request, and include appropriate contingencies in contracts for any or all of the requested services.

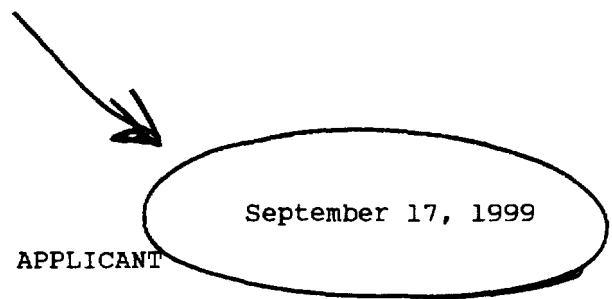
If you have any questions, please call the SLD Client Service Bureau at 888-203-8100.

USAC
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SCHOOLS AND LIBRARIES DIVISION

Box 125 - Correspondence Unit
100 South Jefferson Road
Whippany, NJ 07981

BERGEN COUNTY SPECIAL SERVICES
John Arendas
East 64 Midland Ave.
Paramus, NJ 07652



September 17, 1999

FCC Form 471 RECEIPT ACKNOWLEDGMENT LETTER TO APPLICANT
Re: Form 471 Application Number 154286
Funding Year 07/01/1999 - 06/30/2000
Billed Entity Number 200442

NOTICE: This notification is an acknowledgment of RECEIPT and SUCCESSFUL DATA ENTRY of your Form 471 application reflecting \$142,711.97 in total annual pre-discount costs for services. This letter does NOT contain any decisions concerning your requests for discounts. Please keep this letter for your records. The Form 471 application number cited above is critical for you to link your application to future Schools and Libraries Division (SLD) communications.

Please be advised that your Form 471, Services Ordered and Certification Form, was officially received by the SLD on 04/06/1999 and successfully entered into our data system. SLD's Program Integrity Assurance (PIA) Team will now review your application for compliance with program rules. Once the review of your application has been completed, you will receive a separate Funding Commitment Decisions Letter which informs you of the disposition of your application. Until you receive a Funding Commitment Decisions Letter from the SLD, you cannot assume that you will receive the discounts for which you are applying.

In addition, we have received the Certifications for the Forms 470 cited in your Form 471, as well as the Certification for the Form 471 and the other required documentation. We have inputted these Certifications to our processing system.

Your application will be considered within the application filing window wherein all applications which pass the Minimum Processing Standards are treated as though they were received on the same day.

Explanation of Line Item Information

All line items listed in Items 15 and 16 of the Form 471 application number cited above at the top of this letter (under the date of this letter) which passed Minimum Processing Standards and which could be entered into our data system are shown below. There are four important components of information shown for each line item:

FRN: The FRN is the Funding Request Number that the SLD assigned to each separate row of Item 15/16 that is entered into our data system. This number will be cited in relation to the SLD's funding decision contained in the Funding Commitment Decisions Letter. The FRN information will also be shared with service providers so that they can provide discounted bills and invoice the SLD for the approved discount amount.

SPIN: This is the Service Provider Identification Number that you provided. This is a unique identification number assigned to each service provider.

Service Provider Name: This is the legal name in our database that is associated with the Service Provider Identification Number that you provided.

Services Ordered: This is the type of services for which you have requested discounts. The Services Ordered categories are: Telecommunications Services; Internet Access; Internal connections-Shared; Dedicated Services or Internal Connections-Site Specific. The Legend for these categories is as follows:



UNIVERSAL SERVICE
ADMINISTRATIVE CO.

SCHOOLS AND LIBRARIES DIVISION

Box 125 - Correspondence Unit
100 South Jefferson Road
Whippany, NJ 07981

BERGEN COUNTY SPECIAL SERVICES

John Arendas
East 64 Midland Ave.
Paramus, NJ 07652

November 9, 1999

Re: Form 471 Application Number: 154286
Funding Year: 07/01/1999 - 06/30/2000
Billed Entity Number: 200442

Thank you for your 1999-2000 E-rate application and for any assistance you provided throughout our review. We have completed processing of your Form 471. This letter is to advise you of our decisions.

FUNDING COMMITMENT REPORT

From your Form 471, we reviewed row-by-row discount requests in Items 15 and 16. We assigned each row a Funding Request Number (FRN). On the pages following this letter, we have provided a Funding Commitment Report for each FRN in your application.

Attached to this letter you will find a guide that defines each line of the Funding Commitment Report and a complete list of FRNs from your application. The SLD is also sending this information to your service provider(s) so arrangements can be made to begin implementing your E-rate discount(s). We would encourage you to contact your service providers to let them know your plans regarding these services.

FOR QUESTIONS

If you have questions regarding our decisions on your E-rate application, please notify us in writing. Your questions should be sent to: Questions, Schools and Libraries Division, Universal Service Administrative Company, Box 125 - Correspondence Unit, 100 South Jefferson Road, Whippany, NJ 07981.

FOR APPEALS

If you wish to appeal to the SLD, your appeal must be made in writing and received by us within 30 days of issuance of this letter as indicated by its postmark. In your letter of appeal, please include: correct contact information for the appellant, information on the Funding Commitment Decision you are appealing and the specific Funding Request Number in question, and an original authorized signature. Appeals sent by fax, e-mail or phone call cannot be processed. Please mail your appeal to: Letter of Appeal, Schools and Libraries Division, Box 125 - Correspondence Unit, 100 South Jefferson Road, Whippany, NJ 07981. You may also call our Client Service Bureau at 888-203-8100. While we encourage you to resolve your appeal with the SLD first, you have the option of filing an appeal directly with the Federal Communications Commission (FCC): FCC, Office of the Secretary, 445 12th Street SW, Room TW-A 325, Washington, D.C. 20554.

NEXT STEPS

Once you have reviewed this letter and have determined that some or all of your requests have been funded, your next step is to complete and submit the enclosed FCC Form 486. This Form notifies the SLD that you are currently receiving or have begun receiving services approved for discounts and provides certified indication that your technology plan(s) has been approved. As you complete your Form 486, you should also contact your service provider to verify they have received notice from the SLD of your commitments. After the SLD processes your Form 486, we can begin processing invoices from your service provider(s) so they can be reimbursed for discounted services they have provided you. For further detailed information on next steps, please review all enclosures.

NOTICE ON RULES AND FUNDS AVAILABILITY

Applicants' receipt of funding commitments is contingent on their compliance with all statutory, regulatory, and procedural requirements of the universal service mechanisms for schools and libraries. FCC Form 471 Applicants who have received funding commitments continue to be subject to audits and other reviews that SLD or the Commission may undertake periodically to assure that funds have been committed and are being used in accordance with all such requirements. If the SLD subsequently determines that its commitment was erroneously issued due to action or inaction, including but not limited to that by SLD, the Applicant, or service provider, and that the action or inaction was not in accordance with such requirements, SLD may be required to cancel these funding commitments and seek repayment of any funds disbursed not in accordance with such requirements. The SLD, and other appropriate authorities (including but not limited to USAC and the FCC) may pursue enforcement actions and other means of recourse to collect erroneously disbursed funds.

The timing of payment of invoices may also be affected by the availability of funds based on the amount of funds collected from contributing telecommunications companies.

We look forward to continuing our work with you on connecting our schools and libraries together through communications technology.

Sincerely,
Kate L. Moore
President, Schools and Libraries Division, USAC

Enclosures

EXPLANATION OF A FUNDING COMMITMENT REPORT

Attached to this letter will be a report for each approved E-rate funding request from your application. We are providing the following definitions.

- * **FUNDING REQUEST NUMBER (FRN):** A Funding Request Number is assigned by the SLD to each line completed in Items 15 and 16 of your Form 471 once an application has been processed. This number is used to report to applicants and vendors the status of individual discount requests submitted on a Form 471. Applicants and vendors learned about FRNs when they received their Receipt Acknowledgement Letter and must use these numbers when completing the Form 486 and Invoices. An FRN will never be longer than 10 digits. If a FRN is shorter than 10 digits, applicants are advised to add zeroes to the front of the numbers to reach 10 digits when filing post-commitment forms.
- * **FUNDING STATUS:** Each FRN will have one of six definitions: "Funded", "Denied", "Partially Funded", "Funds Exhausted", "Unfunded", or "As Yet Unfunded". An FRN that is "Funded" will be approved at the level that SLD determined is appropriate for that item. That will generally be the level requested by you unless the SLD determines during the application review process that some adjustment is appropriate, for example, a different discount percentage for that FRN than the Form 471 featured. A "Denied" FRN is one for which no funds will be committed, and the reason for that decision will be briefly explained in the "Funding Commitment Decision", and amplification of that explanation may be offered in the section, "Funding Commitment Decision Explanation". In accordance with FCC program rules, FRNs are "Partially Funded" or "Unfunded", if the total amount of funds in the Universal Service Fund is insufficient to fully fund or fund all approved requests. If the Form 471 was received after all the funds in the Universal Service Fund were allocated and it was processed, the status will indicate "Unfunded - Funds Exhausted". "As Yet Unfunded" is a temporary status that would be assigned to an FRN when the SLD is uncertain at the time the letter is generated whether there will be sufficient funds to make commitments for a particular service type at a particular discount level. For example, if your application included both telecommunications services and internal connections, you might receive a letter with our funding commitment for your telecommunications requests and a message that your internal connections requests are "As Yet Unfunded". You would then receive a later letter regarding our funding decision on your internal connections requests.
- * **SPIN (Service Provider Identification Number):** A unique number assigned by the Universal Service Administrative Company to vendors seeking payment from the Universal Service Fund for participating in the universal service support programs. A SPIN contains 9 digits and should be included by applicants on their completed Form 471 applications. A SPIN is also used to verify delivery of services and to arrange for payment.
- * **SERVICE PROVIDER NAME:** The legal name of the service provider.
- * **PROVIDER CONTRACT NUMBER:** The number of the contract between the eligible party and the service provider. This will be present only if a contract number was provided on Form 471.
- * **SERVICES ORDERED:** The type of service ordered from the service provider, as shown on Form 471.
- * **EARLIEST POSSIBLE EFFECTIVE DATE OF DISCOUNT:** The first possible date of service for which the SLD will reimburse service providers for the discounts for the service. Note: If the actual service start date provided on a Form 486 is later than this date, the actual service start date set forth in the Form 486 will be the effective date of the discount.
- * **CONTRACT EXPIRATION DATE:** The date the contract expires. This will be present

only if a contract expiration date was provided on Form 471. This is not applicable for tariff services.

- * SITE IDENTIFIER: This will appear only for FRNs listed in Item 16 of your Form 471. For public schools, the 12-digit NCES code you listed in Item 14 for this school site will appear here. If there is no NCES Code for an FRN in Item 16, the SLD-assigned entity number will appear here.
- * PRE-DISCOUNT COST: Amount in Column 10 of Item 15/16, Form 471, as determined through the application review process. Please note that, during the Problem Resolution process at SLD, the amount in Col. 10 of Item 15/16 may have been corrected to conform to the information provided about Service Start Date and

Monthly Costs.

- * DISCOUNT PERCENTAGE APPROVED BY THE SLD: This is the discount rate that the SLD has approved for this service.
- * FUNDING COMMITMENT DECISION: This represents the total amount of funding that the SLD is now reserving to reimburse service providers for the discounts for this service through June 30, 2000. This figure may be different from the Estimated Total Annual Pre-Discount Cost (Col. 10 of Item 15/16) times the Percentage Discount (Col. 11 of Item 15/16) in the 471 application. It may be lower because of an adjustment determined appropriate by the SLD, such as of the discount percentage, or a denial of discounts and, if so, the accompanying comment will explain this difference. The difference may also reflect a reduction from the request level made necessary by overall funding limitations, in which case the "Funding Status" above will indicate "Partially Funded" or "Unfunded". Whatever amount is listed here, it is important that you and the service provider both recognize that the SLD should be invoiced and the SLD may direct disbursement of discounts on only eligible, approved services actually rendered.
- * FUNDING COMMITMENT DECISION EXPLANATION: This entry may appear to amplify the comment in the "Funding Commitment Decision", if the discount request for this service is denied for reasons other than "Unfunded" or if the SLD determined that some adjustment to the request level was appropriate.

FUNDING COMMITMENT REPORT FOR APPLICATION NUMBER: 0000154286

Funding Request Number: 0000298958 Funding Status: Unfunded or Denied
SPIN: 143008786 Service Provider Name: Bergen County Technical School
Provider Contract Number: C
Services Ordered: Dedicated Services
Earliest Possible Effective Date of Discount: 07/01/1999
Contract Expiration Date: 06/30/2000
Site Identifier: 168619
Pre-discount Cost: \$12,040.00
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - 28 Day Waiting Period Violated
Funding Commitment Decision Explanation: The Form 471 application was signed and/or submitted prior to the expiration of the 28-day waiting period from the day of the posting of the Form 470 to the SLD Web Site.

Funding Request Number: 0000298959 Funding Status: Unfunded or Denied
SPIN: 143004333 Service Provider Name: Bell Atlantic Internet Solutions, Inc.
Provider Contract Number: NA
Services Ordered: Internal Connections
Earliest Possible Effective Date of Discount: 07/01/1999
Contract Expiration Date: N/A
Site Identifier: 168619
Pre-discount Cost: \$125,871.97
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - 28 Day Waiting Period Violated
Funding Commitment Decision Explanation: The Form 471 application was signed and/or submitted prior to the expiration of the 28-day waiting period from the day of the posting of the Form 470 to the SLD Web Site.

Funding Request Number: 0000298960 Funding Status: Unfunded or Denied
SPIN: 143001362 Service Provider Name: Bell Atlantic - New Jersey, Inc.
Provider Contract Number: NOT PROVIDED
Services Ordered: Internal Connections
Earliest Possible Effective Date of Discount: 07/01/1999
Contract Expiration Date: 06/30/2004
Site Identifier: 168619
Pre-discount Cost: \$4,800.00
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - 28 Day Waiting Period Violated
Funding Commitment Decision Explanation: The Form 471 application was signed and/or submitted prior to the expiration of the 28-day waiting period from the day of the posting of the Form 470 to the SLD Web Site.



BERGEN COUNTY TECHNICAL SCHOOLS / SPECIAL SERVICES

327 East Ridgewood Avenue • Paramus, New Jersey 07652-4897 • Tel. (201) 986-1314 • Fax (201) 986-0328 • TDD (201) 265-1147

December 8, 1999

Letter of Appeal
Schools & Libraries Division
Box 125 – Correspondence Unit
100 South Jefferson Road
Whippany, NJ 07981

Re: Form 471 Application Number: 154286
Funding Year: 07/01/1999 – 06/30/2000
Billed Entity Number: 200442

Bergen County Special Services is in receipt of your 11/9/99 correspondence notifying us of your denial to fund the above referenced E-rate application.

Your decision to deny funding is cited as our "violation of the 28-day waiting period". Please be advised that a review of our records challenges this decision. In summary, Bergen County Special Services was formally notified that Form 470 had been received and posted by the SLC on 03/04/99 (see attached letter of 03/08/99). The notification further states that our Form 471 should be completed and submitted to your office on or after 04/01/99. Special Services was in compliance with this directive. Please reference the attached acknowledgement letter of 09/17/99.

Should you have any questions regarding this appeal, please contact John R. Arendas, Supervisor of Technology, at 201-265-6300 Ext. 6036.

Sincerely,

John Grieco, Ed.D.

/jh
Attachments



UNIVERSAL SERVICE
ADMINISTRATIVE CO.

ROCKLEIGH

SCHOOLS AND LIBRARIES DIVISION

Box 125 – Correspondence Unit
100 South Jefferson Road
Whippany, New Jersey 07981

Administrator's Decision on Appeal - Funding Year 1999-2000

May 10, 2000

John Arendas
Bergen County Special Services
East 64 Midland Ave.
Paramus, NJ 07652

Re: Billed Entity Number: 200442
 Application Number: 154286
 Funding Request Number(s): 298958, 298959 & 298960
 Your Correspondence Dated: 12/8/99

After thorough review and investigation of your appeal, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company has resolved your appeal seeking approval of additional discounts for the second program year. This letter addresses our decision concerning each Funding Request Number that was included in your letter of appeal for the Application Number cited above. If your letter of appeal addressed more than one Application Number, a separate letter will be issued to inform you of our decision on the appeal of each Application Number.

Funding Request Number: 298958, 298959 & 298960
Decision on Appeal: Denied in full

Denial Reason(s):

- The Form 471 was prepared and submitted prior to the Allowable Contract Date (the 28th day after posting the Form 470 on the SLD Web Site) for new services. We have confirmed this by examining the date that you signed your application (Line 31- signature date) and/or the date that the SLD received your application. If either of these dates was before the 28th day after the posting date of your Form 470, then your application did NOT comply with the program rules governing the preparation and submission of Form 471.

If you feel further examination of your application is in order, you may file an appeal with the Federal Communications Commission, Office of the Secretary, 445 12TH Street, SW, Room TW-A325, Washington, DC 20554. Before preparing and submitting your appeal, please be sure to review the FCC rules concerning the filing of an appeal of an Administrator's Decision, which are posted to the SLD Web Site at <www.sl.universalservice.org>. You must file your appeal

with the FCC no later than 30 days from the date of the issuance of this letter, in order for your appeal to be timely filed.

You should now move ahead, if you haven't already done so, with your Form 486 and related post-commitment arrangements for services for which funds have been committed and services have begun to flow. We thank you for your continued support, patience, and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company